- dispute, but I have subsequent disputes that contain
- the same subscriber code produced by OCWEN, just for
- 3 references sake.
- 4 MR. NOLAN: Mark this exhibit, please.
- 5 (Exhibit No. 10 was marked for
- 6 identification.)
- 7 MR. NOLAN: Let me apologize. I gave
- 8 her a different one than I gave you. Let me give you
- 9 this one here. Make sure we're looking at the same
- 10 one.
- MR. MANNING: 1335, set that --
- MR. NOLAN: That's fine. Yeah. I just
- want to make sure I'm asking her about the same one I
- 14 gave you guys.
- MR. MANNING: So I have Exhibit 10, 1333
- 16 and 1334?
- MR. NOLAN: Correct.
- 18 BY MR. NOLAN:
- 19 Q. This lists the account number as
- 20 7092244537, correct?
- 21 A. Yes.
- Q. Which is the same account number that
- 23 had been assigned a different subscriber code
- 24 previously, correct?
- A. To what document are you referring to?

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202-220-4158

August 28, 2015

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77
           Q.
                  Just go back --
 2
           A.
                  9?
 3
                  -- in the comment log to 1662.
     1662.
 5
                  1664 lists this log as the subscriber
 6
     code of 465FS01690; is that correct?
           A.
                  Okay. You're on 1669 now, page --
 8
                  Currently I'm on 1668. But referring
 9
    back to 1664 --
10
           A.
                  Okay.
11
                  -- which indicates the same loan has a
12
     different subscriber code, correct? That's the last
13
     entry on that page.
14
                  Okay.
                         Yes. They all have different
15
     subscriber codes.
16
                  But it's the same loan, correct?
17
           A.
                  Yes.
18
                  And Mr. Rao had previously investigated
           0.
     this same loan number on March 20th, correct? I'm
19
20
    back on 1668.
21
           A.
                  Yes.
22
                  And he would have had access to the
23
    notes regarding the March 20th, 2013 dispute
    reinvestigation he conducted on the same account,
24
25
    correct?
```

Henderson Legal Services, Inc.

202-220-4158

- A. It wouldn't matter. It's still a new
- 2 request.
- Q. Okay. And you said you can identify for
- 4 us later why there are different subscriber codes
- 5 assigned to the same loan?
- 6 A. Correct.
- Q. Okay. I'd like to bump ahead to the
- 8 comment log at page 1678. On July 5th, 2013 at
- 9 12:45:07 a.m. Rajkumar Singh has an entry where he --
- under his entry regarding reporting to credit bureau
- 11 (no signature docs in CIS), correct?
- 12 A. Okay. But his -- his entries begin on
- 13 **1677**.
- Q. Okay. He has the same note in each
- 15 entry?
- 16 A. Showing one 7-5-2013, 12:43:14 a.m., CDV
- being received. And it goes down to -- all the way
- down to the middle of 78, 1678.
- 19 Q. There are eight different entries by
- 20 Rajkumar Singh on July 5th, 2013 regarding this ACDV,
- 21 correct?
- 22 A. Around there.
- Q. Why are there multiple different entries
- for the same dispute?
- MR. MANNING: Object to the form.

August 28, 2015

79

- You can answer.
- THE WITNESS: He's conducted, as far as
- everything he's done, and they all require -- in this
- 4 case he received two separate -- he received two
- disputes, which shows 12:43 14 seconds a.m. and the
- 6 second one was received 14:43 40 seconds a.m. So he
- 7 responded to the two ACDVs received from the agents.
- 8 BY MR. NOLAN:
- 9 Q. Those are identified by the different
- 10 control numbers assigned; is that correct?
- A. Different control number, yes. Same
- 12 subscriber number.
- Q. And he wasn't able to use the CIS to
- 14 obtain any signature images, correct?
- 15 A. He said -- you said that was on 1678?
- 16 Q. That's on both.
- 17 A. That's on both?
- 18 Q. That's on every entry, under the
- 19 reporting to credit bureau section.
- 20 A. Yeah. I see it. I don't know why he
- 21 has those comments. The comments relate that there
- 22 are signatures in regards to documents in CIS.
- Q. For whatever reason, he wasn't able to
- 24 access the online images, it seems?
- A. That's possible. The system does go

August 28, 2015

80

- 1 down at times.
- Q. When he wasn't able to verify those, it
- 3 says verified in Real Servicing?
- A. That's the name of the OCWEN system.
- 5 Q. Real Servicing?
- A. Yes.
- 7 Q. Does he contact anyone to access that or
- is he able to access that online?
- 9 A. He's able to access that from servicing.
- MR. NOLAN: Mark this as 11.
- 11 (Exhibit No. 11 was marked for
- identification.)
- 13 BY MR. NOLAN:
- 14 Q. I'm handing you the Equifax-produced
- 15 ACDVs regarding the -- this dispute we've just
- discussed by Mr. Singh regarding subscriber code
- 17 465FS01690.
- 18 A. Two separate requests.
- 19 Q. Correct.
- The response was due July 24, 2013,
- 21 correct?
- A. Yes.
- Q. But the response was provided on
- July 5th, 2013, correct?
- A. Yes. It was responded early.

August 28, 2015

81

- 1 Q. Is it typical for most disputes with
- OCWEN to be resolved this quickly?
- 3 A. Within 30 days.
- Q. And this one was within two days of the
- date created, date of July 3rd, 2013, correct?
- 6 A. Yes. Within 30 days.
- 7 Q. And again, based on Equifax 89,
- 8 Mr. Singh was able to verify the reporting of
- 9 foreclosure proceedings started, correct?
- MR. MANNING: Object to the form.
- 11 Misstates the document.
- 12 You can answer.
- THE WITNESS: Employee responded based
- on the dispute verification that came in.
- 15 BY MR. NOLAN:
- Q. And Mr. Singh was able to verify as
- 17 reported both account listings based on the two
- 18 disputes he received, correct?
- 19 A. Yes.
- 20 Q. Even though the disputes contained
- 21 different account information, correct?
- 22 A. Two separate disputes being received.
- MR. NOLAN: How are we doing on time?
- 24 Twenty minutes here.
- MR. MANNING: I'm not sure that the food

Henderson Legal Services, Inc.

202-220-4158

- is here yet. Maybe we can just push a little longer.
- MR. NOLAN: Yeah.
- THE WITNESS: Off the record.
- 4 (Off-the-record discussion)
- MR. NOLAN: We can take a break for a
- 6 minute.
- 7 (A luncheon recess was taken.)
- 8 BY MR. NOLAN:
- 9 Q. Back on the record here.
- I wonder if we could look at the OCWEN
- comment log at page 1687. There is an entry dated
- 9-23-2013 at 2:50:08 p.m.
- You know what? Let's move off of that.
- 14 I believe that's talking about insurance, so I don't
- want to go there.
- Why don't we look at 1688?
- MR. NOLAN: Mark this as our next
- 18 exhibit.
- 19 (Exhibit No. 12 was marked for
- identification.)
- 21 BY MR. NOLAN:
- Q. This is all relating to a dispute
- created October 1st, 2013. On the OCWEN comment logs
- on page 1688, it refers to control number ending in
- 25 113, which corresponds with Equifax 157. This was

- 1 reviewed by OCWEN representative Kusum V; is that
- 2 correct?
- 3 A. Okay.
- Q. OCWEN says Kusum V, and Equifax says V
- 5 Kusum. I think it's the same person, we can assume?
- A. Yes.
- 7 Q. 157, I'm looking at the date of account
- 8 info. They list it as January 2013, towards the
- 9 bottom of the page.
- 10 A. Okay. This falls, again, back to two
- 11 separate requests, different date. This is
- 12 October 2013, same request that has been received
- 13 throughout all the additional prior requests.
- 0. On 157 the date of the account info
- referenced is January 2013, correct?
- A. Okay.
- 0. Is that correct?
- 18 A. Yes. Like the other request.
- 19 Q. And even though this dispute was created
- in October 2013, they look back to January 2013,
- 21 correct?
- 22 A. Yes.
- Q. And they report it as current?
- A. Correct.
- 25 Q. And on the comment logs it notes on this

August 28, 2015

84

- one that borrower signed note, hence responsible,
- Social Security number matches, checked CIS, correct?
- 3 A. Yes.
- 4 Q. And then on Equifax 159, this is
- 5 regarding control number ending in 114, which was
- also done by V Kusum, correct?
- 7 A. Yes.
- Q. And this, again, notes the same account
- 9 number as being past due by \$6,128, correct?
- 10 A. Yes.
- 11 O. And it lists the date of account info
- pulled as July 2013, correct?
- 13 A. Yes. This is verifying based on the
- 14 dispute verification that Equifax has sent in through
- 15 the e-Oscar system.
- 16 Q. So in this case OCWEN is relying on its
- 17 previous reinvestigations?
- 18 A. No. As I mentioned earlier, each
- 19 dispute verification that comes in through e-Oscar,
- 20 they all get reviewed and investigated as they come
- in. They rely on -- based on their research and
- 22 review. They're not going to rely on what was
- 23 previously done. They can see how many requests came
- in, how many times it's been responded, but they
- still -- they're still responsible in doing the same.

- 1 Q. So on these two disputes, which were
- 2 completed on the same day within two minutes of each
- other, why did one -- why did Equifax 157 look to
- 4 date of account info January 2013 versus Equifax 159
- 5 looking to the date of account info of July 2013?
- 6 MR. MANNING: Object to the form.
- 7 You can answer.
- 8 THE WITNESS: Two separate requests,
- 9 just like the others that you've shown to me.
- 10 BY MR. NOLAN:
- 11 Q. And it's for the same account number,
- 12 correct?
- A. Yes.
- 14 Q. But they look to different date of
- 15 account infos for each?
- 16 A. They look on based on the dispute that
- 17 comes in. They're not going to give anything
- 18 additional -- any additional information, other than
- what's on the dispute. So one dispute is one
- 20 request. And the second dispute that was received
- 21 was responded accordingly.
- Q. Okay. I'm not sure if you answered this
- or not. My question is, why did they look to
- 24 different dates of account info for the same account
- on two separate disputes that were submitted within

August 28, 2015

86 two minutes of each other? 2 MR. MANNING: Object to the form. 3 you say they --MR. NOLAN: OCWEN. 5 THE WITNESS: Because Equifax sent in two different disputes regarding two different dates, 7 that's how it was responded back to Equifax. 8 MR. NOLAN: Can you mark this? (Exhibit No. 13 was marked for 10 identification.) 11 BY MR. NOLAN: 12 I'm handing you Exhibit No. 13. 0. 13 looking in the OCWEN comment log at page 1695. OCWEN 14 representative Akshatha SV reviewed this on 15 September 2nd, 2013, correct? 16 A. Yes. 17 And the date of account info that was Q. 18 looked at was October 2013, correct? 19 I'm sorry? A. 20 The date of account info that the 21 responder referred to for OCWEN was October 2013, 22 correct? 23 MR. MANNING: Object to the form. 24 You can answer. 25 THE WITNESS: I'm trying to find

Henderson Legal Services, Inc.

202-220-4158

August 28, 2015

87

- 1 October --
- 2 BY MR. NOLAN:
- Q. I'm looking at the date of account info
- 4 block, sixth from the bottom.
- 5 A. Okay.
- Q. So when she reviewed this file, she
- 7 looked at October 2013, correct?
- 8 MR. MANNING: Object to the form.
- 9 You can answer.
- THE WITNESS: I can only -- I can only
- speak for what was reviewed on the comment notes. So
- based on the information of the dispute verification,
- it was -- that's how it was responded.
- 14 BY MR. NOLAN:
- Q. And this report was verified as
- 16 reported, correct?
- MR. MANNING: Object to the form.
- You can answer.
- 19 THE WITNESS: There is a check, as the
- 20 document shows.
- 21 BY MR. NOLAN:
- Q. And on 1695 the note states he/she is
- responsible, liable on the account, correct?
- 24 A. Yes.
- Q. Again, this report noted that

August 28, 2015

88

- foreclosure proceedings had begun, correct?
- MR. MANNING: Object to the form.
- you can answer.
- 4 THE WITNESS: This is how the request
- 5 came in. And this is -- and based on the response
- 6 back on ACDV, as well as what's on the notes, it's
- 5 shown that the account has been verified that it's
- 8 the borrower's.
- 9 BY MR. NOLAN:
- 10 Q. I'm going to jump ahead in the comment
- 11 log to 1704. There is an entry on December 31st,
- 2013 at 12:56:32 a.m. from a background processor.
- 13 It states Early Late Notice. Can you describe what
- 14 that means?
- A. At this time the borrower is in default,
- so an early late notice was sent to Mr. Daugherty.
- 17 Q. I'm sorry. I just don't understand what
- 18 early late notice means.
- 19 A. That has nothing to do with the
- 20 borrower's credit. That is because the borrower is
- 21 behind on his mortgage at that point, so a late
- notice is automated, that it gets generated to be
- sent to the borrower or has already been sent to the
- 24 borrower in regards to his payment being late.
- Q. What does the term early refer to?

August 28, 2015

89

- A. Early? The borrower is within -- he
- 2 is -- it's gone through the past -- the late charge
- period, and so a notice is sent regarding his payment
- being behind.
- 5 Q. So it's after the late fee -- the late
- 6 charge period but before 30 days?
- 7 A. After -- correct.
- Q. Is that -- would that be fair?
- 9 Okay.
- MR. NOLAN: Mark this next exhibit as
- 11 14, I believe.
- 12 (Exhibit No. 14 was marked for
- identification.)
- 14 BY MR. NOLAN:
- Q. That's Exhibit No. 14. This is another
- dispute dated -- responded to on January 17, 2014,
- 17 correct?
- 18 A. Yes.
- 19 Q. And I want to again confirm the date of
- the account info box is listed as December 2013,
- 21 correct?
- A. Yes.
- Q. Does that mean that's the date when
- OCWEN looked to the file to see if that information
- 25 was accurate?

August 28, 2015

90

- A. Just to go back on the account
- 2 information, now, how OCWEN reports to the national
- 3 bureaus, they report at the end of each month, and
- 4 the -- they always report the month before, so they
- 5 report in arrears, 30 days in arrears, as of -- so in
- 6 this case say December 30th, 2013, they report it in
- 7 January.
- 0. And as --
- 9 A. I'm sorry. Or -- let's see here. So
- this response is January 2014; however, they last
- made their report to the bureaus the end of December
- for the month before, which is November 2013, in
- 13 arrears, not as --
- Q. Sure.
- A. Not as for that same month.
- Q. Previously when we looked at the initial
- dispute in March 2013, the date of account info
- stated March 2012. And I believe you testified that
- 19 that meant they were looking to March 2012 as the
- 20 date for current information, correct? Let me see if
- we can go back and look at it.
- A. Let's go back through. Go ahead.
- Q. I just want to help dig through here.
- A. No. This side (indicating).
- Q. Exhibit No. 7.

August 28, 2015

91

- A. So this date of account information that
- OCWEN has reported March of 2013 was through
- 3 February 2014 -- I mean '12. Sorry. March 2012 was
- 4 for February 2012.
- 5 Q. So that --
- 6 A. It's in arrears.
- Q. It was 13 months in arrears in this --
- 8 on that dispute?
- 9 A. Not in appears.
- Q. Or behind I should say?
- A. No. No. The last reporting
- information, account information that was reported.
- Q. Because we have the dispute in
- March 2013, and in this case the date of account info
- was March 2012, correct?
- A. Well, based on how -- again, how the
- dispute came in, this responded to the account
- information, which would have been through
- 19 February 2012. So the dispute came in for
- 20 March 2012, and that's what was investigated and
- 21 provided -- and responded back to Equifax. So this
- 22 is Equifax's request for verification, dispute
- verification. And this is how OCWEN -- OCWEN would
- 24 respond, based on what you see in the notes and
- what's on the ACDV, through e-Oscar.

August 28, 2015

92

- Q. And so back to Exhibit 14. OCWEN was
- able to look back to the December 2013 information
- and again verify that foreclosure was started on this
- 4 account?
- MR. MANNING: Object to the form. It
- 6 assumes facts not in evidence.
- 7 You can answer.
- 8 THE WITNESS: Right. It's the same
- 9 request for dispute information. You review the same
- 10 Equifax forms based on the account information, and
- you get -- and you're getting the same response.
- 12 Equifax sends in the same dispute verification on all
- of them. The only difference is the data account
- information, however, is based on this center part,
- 15 last payment date January 12th, date first
- delinquency. This is how Equifax sent in their
- 17 dispute verification and OCWEN responded based on
- 18 what was received.
- 19 BY MR. NOLAN:
- Q. Again, so when OCWEN receives a similar
- 21 dispute two minutes -- let's see here. In this case
- 22 it was six seconds after they handled the initial
- 23 dispute.
- A. They conduct the same investigation.
- 25 It's a new dispute being received. And they

- 1 responded accordingly.
- Q. And the dispute on the same account
- 3 number?
- A. On the same account number.
- MR. NOLAN: Can you mark this as our
- 6 next exhibit?
- 7 (Exhibit No. 15 was marked for
- 8
   identification.)
- 9 BY MR. NOLAN:
- Q. While we're looking at this, I'm also
- looking at the OCWEN comment log 1715.
- 12 A. Okay.
- Q. There is an entry dated 3-17-14 at
- 14 7:45:08 p.m.
- A. Okay.
- Q. This appears to be a phone call placed
- by Mr. Daugherty to Equifax --
- 18 A. Okay.
- Q. -- to Rajani TR.
- Across from the 08 p.m. there is a note,
- 21 caller wanted the fax number for the research
- department, correct?
- 23 A. Yes.
- Q. And OCWEN gave him the fax number,
- 25 correct?

August 28, 2015

94

- A. Correct.
- Q. And also during this call, the next
- entry, borrower inquired about credit reporting in
- 4 2013, correct?
- 5 A. Okay.
- Q. And OCWEN tells him that for July the
- 7 loan was reported correctly as current, correct?
- 8 A. Borrower inquired about credit reporting
- 9 in 2013 for March. The loan was reported correctly
- 10 as current. For June the loan was reported correctly
- as current. For July the loan was reported correctly
- 12 as current.
- Q. Then the last sentence of that paragraph
- 14 states, borrower disagreed with credit reporting,
- 15 correct?
- A. Yes.
- Q. And then, thereafter, OCWEN received
- 18 Exhibit 15?
- 19 A. Yes.
- Q. There is a date at the top of Exhibit 15
- 21 that says 3-19-14, 11:29 a.m. --
- 22 A. Okay.
- Q. -- indicating page 1.
- And on page 1716 OCWEN notes an entry
- 25 dated 3-19-2014 at 3:22:50 p.m., written customer

- correspondence received via fax, correct?
- A. Correct.
- Q. This was sent to the research
- 4 department, correct?
- 5 A. Yes.
- 6 Q. Did the research department handle this
- dispute from there or did they ship it to the credit
- 8 reporting department?
- 9 A. Well, on the same day there was an ACDV
- being received in the credit -- in the credit
- 11 department. And let's see here. Correspondence
- received the same day, which is what you provided me,
- 13 Exhibit 15.
- Research department, the bottom of 1716,
- put a notation in the account, the borrower's
- 16 dispute. It looks like it was forwarded to the
- 17 credit department.
- Q. Okay. Let's look at Exhibit 15.
- 19 A. Okay. I am at Exhibit 15.
- Q. On page 2 of Exhibit 15 Mr. Daugherty
- 21 has attached a creditscore.com printout.
- 22 A. Okay.
- Q. Correct? And he's highlighted some
- 24 inaccuracies on -- regarding his OCWEN Loan Servicing
- 25 account, correct?

- A. For -- okay. Equifax.
- Q. On page 3 of this exhibit Mr. Daugherty
- 3 provides a narrative explanation of what he claims is
- 4 inaccurate on his credit report, correct?
- A. Okay.
- 6 Q. Have you had a chance to review this
- 7 before today?
- 8 A. I reviewed a lot of documents.
- 9 MR. MANNING: Take your time and read it
- if you want to.
- 11 BY MR. NOLAN:
- Q. Please.
- A. He stated how Equifax has made an error,
- consistent error, based on information he's claiming
- OCWEN sent in to them; however, OCWEN has always been
- reporting the account accurately to all bureaus,
- which is the same information that Equifax would
- 18 receive, other bureaus would receive. Based on the
- 19 disputes that was provided and how it was
- 20 responded --
- Q. So on 1716 there is a -- a final
- 22 notation on March 21st, 2014 that says there is an
- 23 acknowledgment letter request submitted. It says AUD
- 24 control number, and gives a number.
- A. I'm sorry. What page?

August 28, 2015

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97
           Q.
                   1716.
           A.
                  Okay.
 3
                  The final entry lists an AUD control
 4
     number?
                  Uh-huh.
                  Was an AUD submitted at this time
 7
     regarding OCWEN's reports to Equifax of
     Mr. Daugherty?
                  According to the notes, yes.
10
                  And that was sent from the research
           Q.
11
     department?
12
           A.
                  It was sent -- it would be sent by the
13
     credit reporting department. And it was sent to all
14
    bureaus.
15
                  Below that it states it updated and
     reported the current balance of the loan, correct?
16
17
           A.
                  Yes.
18
                  But it didn't address Mr. Daugherty's
19
    concern that there were reports of foreclosure on his
20
    account, correct?
21
                  MR. MANNING: Object to the form.
22
                  THE WITNESS: I'm sorry. Repeat that
23
    question.
24
    BY MR. NOLAN:
25
           Q.
                  OCWEN reported that they updated the
```

Henderson Legal Services, Inc.

202-220-4158

- 1 current balance of Mr. Daugherty's loan, correct?
- A. To the bureaus. It is sent an AUD as
- far as updating the information that has been -- was
- being sent each month to the bureaus.
- Q. And, now, is it fair to say that
- 6 Mr. Daugherty's dispute that you just read does not
- 7 contain any dispute regarding the amount of the
- 8 balance of his loan?
- 9 MR. MANNING: Objection to the form.
- You can answer.
- THE WITNESS: His letter has amounts in
- regards to his balances in the letter.
- 13 BY MR. NOLAN:
- Q. The past due amounts?
- A. As far as past due amounts, it has been
- reporting -- there's been no difference how OCWEN has
- been reported. As I mentioned earlier, they reported
- accurately each month and not reporting late, with
- 19 the exception of the last reporting -- the last
- 20 reporting after he brought the loan current, which
- 21 was a 30-day late.
- Q. So can you tell me what other steps were
- taken to investigate whether there was a foreclosure
- notation on Mr. Daugherty's account based on this
- 25 letter?

August 28, 2015

99

- A. At this time the loan was not in
- foreclosure. That's how -- again, that's how the
- 3 request came in from Equifax. And based on his
- 4 letter, and based on OCWEN's review --
- Q. What was that review?
- A. In a letter that's dated March 26th,
- 7 2014, on page 1720, advising Mr. Daugherty the office
- 8 of the Consumer Ombudsman would like to take the --
- 9 would like to thank you for the recent inquiry
- 10 regarding the above-referenced loan received through
- 11 the Consumer Financial Protection Bureau. The office
- will review the servicing of the loan in relation to
- 13 the issue raised.
- And further down it says --
- Q. That's in response to a separate
- department from a third-party reporting agency?
- 17 A. That's from the Consumer Financial
- 18 Bureau.
- Q. I'm trying to figure out what OCWEN did
- when they received Mr. Daugherty's letter where he
- 21 circled and highlighted the inaccuracies that are
- 22 currently showing on his credit report.
- A. He was responded on 4-19-2014,
- 24 page 1723. This is after the response to the
- 25 Consumer Financial Bureau because he -- Mr. Daugherty

August 28, 2015

100

- also sent an email, some type of correspondence, to
- 2 the Financial Protection Bureau, as well, as well as
- 3 the written response to OCWEN directly.
- Q. So you're saying this April 19th
- 5 letter --
- A. It responded -- it responded back
- 7 through the email that Mr. Daugherty sent through the
- 8 Consumer Financial Protection Bureau on 4-8, as well
- 9 as responded directly to the bureau via mail on
- 10 4-19-2014.
- 11 Q. So that was in response to the bureau's
- 12 request for investigation, correct?
- A. He sent the email. Hi. I have a
- 14 mortgage loan with OCWEN Financial Loan Services.
- Q. And to be clear, this is what he sent to
- 16 the CFPB, correct?
- A. That is correct. And OCWEN responded
- 18 direct -- responded back through that to
- Mr. Daugherty, as well as responded by correspondence
- <sup>20</sup> on page 1723.
- Q. I'm still trying to figure out what did
- OCWEN do to respond to the letter faxed on
- March 19th, 2014 directly by Mr. Daugherty.
- MR. MANNING: Objection. Asked and
- 25 answered.